

Message Text

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PAGE 01 STATE 218243
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 DODE-00 NSAE-00 USIA-06
TRSE-00 ERDA-05 CIAE-00 COME-00 /032 R

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RPE

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P 122142Z SEP 77
FM SECSTATE WASHDC
TO AMEMBASSY PARIS PRIORITY

C O N F I D E N T I A L STATE 218243

USOECD, EXCON

E.O. 11652: XGDS-1

TAGS: ESTC, COCOM, GW, GE, UR

SUBJECT: GERMAN CRYSTAL GROWING MACHINES TO GDR AND USSR--
IL 1355

REF: A) SCOM DOC (77) 505, B) COCOM DOC (77) 129

THE EMBASSY OF THE FEDERAL REPUBLIC OF GERMANY ADVISED
THE DEPARTMENT ON SEPTEMBER 9, THAT IT HAD BEEN INFORMED
BY ITS GOVERNMENT THAT THE PENDING LICENSE APPLICATIONS
(SEE ABOVE REF DOCS) WERE TO BE APPROVED BY THE FRG IN
ABSENCE OF A U.S. POSITION. THE RATIONALE FOR THIS
ACTION WAS BASED ON THE INABILITY OF THE U.S. TO FORMULATE
A TIMELY POSITION AND THE ACCEPTANCE OF THE EXPORT LICENSE
APPLICATIONS BY THE FRG FROM THE EXPORTER ON THE BASIS THAT
IDENTICAL EQUIPMENT HAD BEEN LICENSED ON TWO PREVIOUS
OCCASIONS. ACCORDING TO THE GERMAN EMBASSY, THE FEDERAL
REPUBLIC WOULD BE LIABLE FOR THE VALUE OF THE CONTRACT IF
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THE LICENSE APPLICATION WERE NOT ACTED UPON IN A PRESCRIBED
PERIOD -- A PERIOD WHICH HAS NOW PASSED WITHOUT A U.S.
POSITION.

IN ACTUALITY, THE U.S. HAS NOT BEEN ABLE TO FORM AN
AGREED UPON INTERAGENCY POSITION REGARDING THESE CASES.
BECAUSE OF THIS, WE WILL PROBABLY TELL THE WEST GERMAN

EMBASSY THAT THE USG CAN NEITHER APPROVE NOR OBJECT TO THEIR COCOM SUBMISSION AND ASK THEM TO DEFER A FINAL LICENSING ACTION UNTIL WE CAN REACH A UNIFIED POSITION. HOWEVER, WE HAVE BEEN TOLD THAT THERE IS LITTLE CHANCE OF THE FRG DEFERRING ANY LONGER, GIVEN THE TIME ALREADY ALLOCATED FOR THIS ACTION AND THE PRESSURE OF THE LEGAL SUIT FACED BY THE FRG FOR ITS INACTION.

THE ABOVE IS FORWARDED FOR THE INFORMATION OF THE DEL IN THE EVENT THE GERMAN DEL MAKES A STATEMENT AT THE MEETING SEPTEMBER 13. NO COMMENT SHOULD BE MADE ON THE U.S. POSITION, BUT WE DID BELIEVE IT ADVISEABLE TO INFORM THE U.S. DEL BEFOREHAND OF THE ANTICIPATED ACTION BY THE FRG. WE ARE AWAITING AN AIDE MEMOIRE FROM THE FRG EMBASSY IN THE NEXT FEW DAYS AND WILL FORWARD A COPY OF THE DEL FOR ITS INFORMATION. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EQUIPMENT, CRYSTALS, STRATEGIC TRADE CONTROLS, EXPORT LICENSES
Control Number: n/a
Copy: SINGLE
Sent Date: 12-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Review Release Date: n/a
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Review Withdrawn Fields: n/a
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TAGS: ESTC, GE, GC, UR, US, COCOM
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